

April 11, 2016

Chairman Thomas Wheeler
Commissioner Mignon Clyburn
Commissioner Jessica Rosenworcel
Commissioner Ajit Pai
Commissioner Michael O'Rielly
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Telcordia Technologies, Inc. Petition to Reform Amendment 57 and to Order a Competitive Bidding Process for Number Portability Administration*, WC Docket 07-149, WC Docket 09-109, CC Docket 95-116

Dear Chairman Wheeler and Commissioners:

We write on behalf of Neustar, Inc., to bring to your attention the attached Application for Review of the Wireline Competition Bureau's *Second Protective Order* in the above-captioned docket. Telcordia Technologies, Inc. d/b/a/ iconectiv ("iconectiv") and the North American Portability Management LLC ("NAPM") submitted a proposed LNPA Master Services Agreement ("MSA") for the Commission's approval. The entire proposed agreement was submitted as a confidential document. The *Second Protective Order* is so broad in its exclusion of business personnel that the only individuals permitted to review the proposed MSA are lawyers and outside consultants. The order thus blocks access by the public and by knowledgeable industry personnel to the proposed MSA, precluding effective review and meaningful comment. Such secrecy is unwarranted, unfair, and threatens to delay the planned transition of LNPA responsibilities.

Since the Commission ruled in March 2015 that iconectiv would succeed Neustar as LNPA, Neustar has been working diligently with the NAPM and the Transition Oversight Manager ("TOM") to support the transition. Neustar has repeatedly urged the NAPM and the TOM to include Neustar in discussions concerning transition arrangements and to negotiate transition-related agreements in parallel – which is the normal way to do an IT transition – with iconectiv and Neustar. Neustar has nevertheless been excluded from discussions between iconectiv and the NAPM concerning establishment of transition obligations and timelines. That is a recipe for future delay and a flawed or failed transition. That failure to keep Neustar in the loop makes it all the more important that Neustar's technical and managerial personnel be given

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the opportunity for meaningful review and comment on the proposed MSA. Neustar's employees are the individuals with the greatest knowledge and insight into the matters governed by the proposed MSA. Even more significant, blocking review by Neustar prevents Neustar from identifying provisions of the proposed MSA that establish transition mechanisms or goals that are inconsistent with Neustar's current operations or contractual obligations.

The *Second Protective Order* is also fundamentally wrong-headed because it blocks effective public participation in the evaluation of the proposed MSA. That agreement would govern the provision of service to all users of the Number Portability Administration Center ("NPAC"); all NPAC users would likewise be bound by its terms. Accordingly, it makes no sense to treat the proposed terms as confidential – on the contrary, all NPAC users have a legitimate interest in reviewing the proposed MSA and raising concerns prior to Commission approval. That is particularly true because parties to this proceeding have previously raised concerns about iconectiv's neutrality, the adequacy of ancillary services, and security arrangements that the proposed MSA presumably addresses.

On April 5, 2016, Commission staff circulated to the full Commission a proposed order seeking approval of the MSA. See FCC, *FCC Items on Circulation*, http://transition.fcc.gov/fcc-bin/circ_items.cgi (accessed Apr. 11, 2016). But the Commission determined that the proposed agreement between the NAPM and iconectiv would have to be submitted for approval precisely to ensure that the MSA effectively addresses concerns raised by commenting parties about iconectiv's ability to serve as a neutral and effective LNPA. It is essential that Neustar and the public have a meaningful opportunity to review and comment on the proposed MSA before the Commission takes action. The *Second Protective Order* precludes such review and comment.

Respectfully submitted,



Thomas J. Navin
WILEY REIN LLP
1776 K Street, N.W.
Washington, D.C. 20006
(202) 719-7000
tnavin@wileyrein.com



Aaron M. Panner
KELLOGG, HUBER, HANSEN, TODD,
EVANS & FIGEL, P.L.L.C.
1615 M Street, N.W., Suite 400
Washington, D.C. 20036
(202) 326-7900
apanner@khhte.com

Counsel for Neustar, Inc.

cc: Diane Cornell
Rebekah Goodheart

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Travis Litman
Nicholas Degani
Amy Bender
Matt DelNero
Kris Monteith
Ann Stevens
Marilyn Jones
Sanford Williams
Jonathan Sallet
Michele Ellison
Rear Admiral (ret.) David Simpson
Allan Manuel